

BLM Still Obligated to Enforce FLPMA Despite Policy Rider in Recent Continuing Resolution

Washington, DC - Congressman Maurice Hinchey (D-NY), Rep. Gerald E. Connolly (D-VA), Rep. Martin Heinrich (D-NM) and Rep. Diana DeGette (D-CO) were yesterday joined by 40 other members of the House of Representatives in a letter to President Obama requesting that he enforce the Federal Land Policy and Management Act (FLPMA) and preserve our nation's pristine wild and public lands. The recently passed long term continuing resolution, H.R. 1473, included a policy rider which defunded enforcement Secretarial Order 3310, the administration's wild lands policy, for the remainder of the fiscal year.

"Without the wild lands policy, many of our nation's pristine wild and public lands remain at risk. The policy is popular with the millions of Americans who are committed to the preservation of our wilderness heritage and we strongly support it," urged the 44 House members. "Despite the passage of H.R. 1473, the Bureau of Land Management is still legally obligated under FLPMA to manage the wilderness resource as one of several multiple uses."

While H.R. 1473 defunded the Secretarial Order 3310, the underlying FLPMA statute still requires the administration to put forth rules to protect wilderness resources. Late last year, the Obama Administration Issued Secretarial Order 3310, overturning the legally flawed decision by former Interior Secretary Gail Norton that barred the BLM from identifying and protecting BLM lands possessing wilderness characteristics as "wilderness study areas." The so-called "Norton Policy" was an abdication of the Department's legal obligations under the Federal Land Policy and Management Act (FLPMA), as well as other statutes, to inventory and manage public lands with wilderness characteristics. In addition, it was an unprecedented departure from a long history of agency management of wild lands which preserved Congress' ability to designate lands as wilderness.

The full text of the letter and a list of signatories follows. A PDF can be found [here](#).

May 24, 2011

The Honorable Barack Obama

President of the United States of America
The White House
1600 Pennsylvania Ave, NW
Washington, DC DC 20500

Dear Mr. President:

We are extremely disappointed that H.R. 1473, the long-term continuing resolution for fiscal year 2011, prohibits the Bureau of Land Management (BLM) from implementing Secretarial Order 3310, also known as the "wild lands policy," for the remainder of the fiscal year. Without the wild lands policy, many of our nation's pristine wild and public lands remain at risk. The policy is popular with the millions of Americans who are committed to the preservation of our wilderness heritage and we strongly support it.

We applauded the Department of Interior for overturning the legally flawed decision by former Secretary Gail Norton that barred the BLM from identifying and protecting BLM lands possessing wilderness characteristics as "wilderness study areas." The so-called "Norton Policy" was an abdication of the Department's legal obligations under the Federal Land Policy and Management Act (FLPMA), as well as other statutes, to inventory and manage public lands with wilderness characteristics. In addition, it was an unprecedented departure from a long history of agency management of wild lands which preserved Congress' ability to designate lands as wilderness.

The Interior Department's 2010 wild lands policy is a reasonable, well-grounded approach that would remedy the many problems caused by the Norton Policy, and it is entirely consistent with governing federal law and long-standing administrative practice. It would facilitate public participation, the restoration of balance to our public lands management policies and protect cherished natural icons from development.

However, despite the passage of H.R. 1473, the BLM is still legally obligated under FLPMA to manage the wilderness resource as one of several multiple uses. As such, we strongly urge you to ensure that the Department and the BLM follow these requirements. Additionally, we hope that your administration will firmly oppose any future appropriations riders or bills that would restrict the Interior Department's ability to identify and protect public lands with wilderness characteristics.

Thank you for your attention to this matter.

Sincerely,

Rep. Maurice Hinchey
Rep. Gerald Connolly
Rep. Martin Heinrich
Rep. Diana DeGette
Rep. Janice Schakowsky
Rep. Jesse Jackson, Jr.
Rep. Jared Polis
Rep. Raul Grijalva
Rep. Ben Ray Lujan
Rep. John Olver
Rep. Earl Blumenauer
Rep. Donna Christensen
Rep. Hank Johnson
Rep. Charles Rangel
Rep. Steve Cohen
Rep. Jerrold Nadler
Rep. Lois Capps
Rep. Rush Holt
Rep. Laura Richardson
Rep. Betty McCollum
Rep. Jackie Speier
Rep. Anna Eshoo
Rep. Eleanor Holmes Norton
Rep. Mazie Hirono
Rep. Henry Waxman
Rep. Jose Serrano
Rep. Michael Honda
Rep. Zoe Lofgren
Rep. Howard Berman
Rep. Sam Farr
Rep. Emanuel Cleaver
Rep. Corrine Brown
Rep. Chris Van Hollen
Rep. Elijah Cummings
Rep. Barbara Lee
Rep. Mike Quigley

Rep. Lloyd Doggett
Rep. George Miller
Rep. Ed Perlmutter
Rep. Bill Pascrell
Rep. Jay Inslee
Rep. Paul Tonko
Rep. Carolyn Maloney
Rep. David Price